

## UNITED STATES DISTRICT COURT

for the

District of Minnesota

United States of America )

v. )

Eddie David Holbdy )

Case No: 05-203 (2) (JRT/FLN)USM No: 12276-041Date of Previous Judgment: 09/20/2006 )Doug Olson

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 195 months months **is reduced to** 180 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: VICriminal History Category: VIPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 130 to 162 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

The defendant is subject to the mandatory minimum 120 month sentence. He is also subject to a 60 month consecutive sentence for use of a firearm in connection with the drug offense, which reduces his total sentence to 180 months.

Except as provided above, all provisions of the judgment dated 09/20/2006 shall remain in effect.

**IT IS SO ORDERED.**Order Date: 04/30/2009s/John R. Tunheim

Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

John R. Tunheim, United States District Court Judge

Printed name and title